

Appl. No. 10/808,853  
Amdt. After Final dated July 20, 2005  
Reply to Final Rej. dated April 20, 2005

### REMARKS

Claims 21, 24-26, 30, 37, 38 and 49-58 remain in the application.

Claims 24-26 are allowed.

Allowable dependent claims 22, 23, 32, 41, 42 and 44-48 are rewritten in independent form as claims 49-58 and are in condition for allowance. A cross-reference table follows:

<u>Allowable Claim No.</u>	<u>Rewritten Claim No.</u>
22	49
23	50
32	51
41	52
42	53
44	54
45	55
46	56
47	57
48	58

The claims that remain for consideration are claims 21, 30, 37 and 38. Reconsideration and clarification of the final rejection of these claims under 35 U.S.C. § 102(b) on U.S. Patent No. 4,742,585 to Logsdon is requested. Logsdon was applied against these claims using an "alternate interpretation" in paragraph 3 on page 4 of the Office Action.

A principal reason why these claims cannot be construed to read on Logsdon concerns the recitation that the knockout cover is attached to the *peripheral wall inner surface* by a frangible web. In Logsdon, the frangible web that holds the knockout 30 in place is attached to the periphery of the hole in which the knockout is positioned rather than to the inner surface of the peripheral wall. The frangible web for the knockout 30 is within the thickness dimension of the peripheral wall.

Appl. No. 10/808,853  
Amdt. After Final dated July 20, 2005  
Reply to Final Rej. dated April 20, 2005

Claim 21 recites a rear cover attached *against* the rear surface of the peripheral wall. In the "alternate interpretation" of Logsdon, two of the knockouts 30 are read on the recited removable and knockout covers. The Logsdon cover 14 does not enter into the picture in the Examiner's "alternate interpretation". None of the knockouts 30 in Logsdon are secured *against* a rear surface of a peripheral wall as claimed.

The claims recite an electrical enclosure that includes the following features:

1. A peripheral wall with front and rear surfaces.
2. A cavity within the peripheral wall between the front and rear surfaces.
3. The peripheral wall having an inner surface that extends between the front and rear surfaces and also forms the periphery of the cavity.
4. Front and rear entrance openings to the cavity at the front and rear surfaces of the peripheral wall.
5. A knockout cover closing the front opening and attached to the *inner surface* of the peripheral wall by a frangible web.

Insofar as the Examiner's "alternate interpretation" of Logsdon is understood, Logsdon has a peripheral wall formed by walls 18, 20, 22 and 24. (Lines 18 and 19 of column 3). The individual walls that collectively form the peripheral wall are referred to as front and rear walls 18 and 20, end walls 22 and corner walls 24.

The Examiner presumably reads the claimed front and rear surfaces of the peripheral wall as the inner surfaces of front and rear walls 18 and 20 in Logsdon. The claimed peripheral wall inner surface that extends between the front and rear surfaces and also forms the periphery of the cavity presumably is read on the inner surfaces of the end walls 22 and the corner walls 24.

Appl. No. 10/808,853  
Amdt. After Final dated July 20, 2005  
Reply to Final Rej. dated April 20, 2005

The inner surfaces of the Logsdon front and rear walls 18, 20 cannot be read twice for different claimed features - once for the claimed front and rear surfaces of the peripheral wall and once again as part of the peripheral wall inner surface that forms the periphery of the cavity and also extends between the surfaces 18, 20. The inner surfaces of Logsdon's walls 18, 20 cannot be both the claimed peripheral wall front and rear surfaces as well as the claimed peripheral wall inner surface that extends between the front and rear surfaces.

Because the inner surfaces of Logsdon's front and rear walls 18, 20 cannot be both the claimed peripheral wall front and rear surfaces as well as part of the claimed peripheral wall inner surface that extends between the front and rear surfaces, the Logsdon knockouts 30 would have to be attached to the inner surfaces of end walls 22 or corner walls 24 to meet the claims. Furthermore, the knockouts 30 are attached at their periphery within the thickness of the walls 18, 20 rather than to any peripheral wall inner surface as claimed.

Claim 30 includes the same claim recitations as claim 21 with respect to the knockout cover being attached to the peripheral wall inner surface and cannot be read on Logsdon. In addition, claim 30 positively recites a concrete form having a form surface against which concrete is pourable. Claim 30 recites the front surface of the peripheral wall as being positioned adjacent to or engaging the concrete form surface. Claim 30 further recites the enclosure as being submerged in concrete and the removable cover as preventing entrance of concrete into the cavity through the front opening.

The manner in which the Logsdon enclosure is used is shown and described in Logsdon's earlier U.S. Patent No. 3,593,344 that is incorporated by reference into the '585 patent (column 3, lines 52-59). The Logsdon enclosure is positioned in a ditch for a sewer line, and concrete is

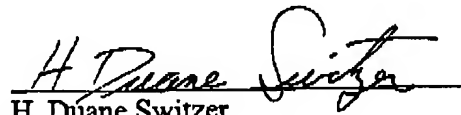
Appl. No. 10/808,853  
Amdt. After Final dated July 20, 2005  
Reply to Final Rej. dated April 20, 2005

poured on the surface in which the ditch is formed. Langsdon's "front surface" 18 is not positioned adjacent to or in engagement with a concrete form, and knockout 30 in wall 18 is not submerged in concrete and does not prevent entry of concrete into the enclosure cavity.

Claims 37 and 38 include the same recitations as summarized above concerning the knockout cover being attached to the inner surface of the peripheral wall and cannot be read on Langsdon. Knockouts 30 in Langsdon are attached to front and rear walls 18, 20 and the front and rear walls cannot be construed to be both peripheral walls and front and rear walls within the context of the claims. Furthermore, knockouts 30 are not attached to the *inner surface* of the peripheral wall.

This application is now in condition for allowance.

Respectfully submitted,

  
H. Duane Switzer  
Reg. No. 22431  
Jones Day  
North Point Tower  
901 Lakeside Avenue  
Cleveland, OH 44114  
Telephone: 216-586-7283